

NASHUA CITY PLANNING BOARD
STAFF REPORT

TO: Nashua City Planning Board
FROM: Linda McGhee, Deputy Planning Manager
FOR: September 10, 2020
RE: **New Business #6 - Subdivision Plan**

I. Project Statistics:

Owner: Stanley and Ruth Choate
Proposal: Two lot subdivision
Location: 438 Main Dunstable Road
Total Site Area: 3.834 acres
Existing Zoning: R30-Suburban Residence
Surrounding Uses: Residential

II. Background Information:

According to city records, the existing single family home was built in the 1970s.

III. Project Description:

The purpose of this plan is to subdivide the parcel into two residential lots. The existing home will remain on Lot 825 and contain 88,206 sf. The new lot, 2990, will have an address of 432 Main Dunstable Road and contain 78,791 sf. Both lots will meet all the minimum zoning requirements. The applicant's engineer has provided a stormwater letter and indicates there will not be any significant changes in drainage patterns.

Several waivers are being requested. The applicant has requested a waiver from the requirement to provide underground utilities; overhead utilities are proposed.

The second waiver is for sidewalks. There is a significant need for sidewalks and pedestrian facilities throughout the City of Nashua and Main Dunstable Road is on the sidewalk priority list. The site meets the criteria in § 190-212(D) and the owner would be eligible to make a contribution in lieu of sidewalk construction; however the applicant's engineer is not offering to make a contribution. Based on \$50 per linear foot along the entire frontage of the both lots (365.76 linear feet) and subtracting a driveway width of 36 feet (18 feet per lot for the driveway), the amount of the contribution should be \$16,488.00.

The third waiver is to allow the plan to be recorded within the 30 day appeal period. The fourth waiver is from the requirement to show existing conditions within 1,000 feet of the subdivision. The final waiver request is for a grading plan, drainage report and drainage calculations.

City Staff reviewed the plans; comments are attached.

Staff Recommendations and Findings:

The Planning Board should make a determination that the plan meets, or does not meet the requirements outlined in the Subdivision NRO § 190-138(G). The Board should review these prior to making a motion. If the Planning Board chooses to disapprove the plan, specific reasons should be given. If the Planning Board chooses to approve this plan, staff recommends the following stipulation be made part of that approval:

1. The request for a waiver of § 190-221, which requires underground utilities for new subdivisions, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
2. The request for a waiver § 190-212(A)(1), which requires that a sidewalk be located on at least one side of the street, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation. The applicant has agreed to make a contribution in the amount of \$ _____ in lieu of sidewalk construction pursuant to §190-212(D)(2), payment to be made prior to recording the plan.
3. The request for a waiver of Nashua Planning Board Bylaws Section 9.5, which requires a 30 day appeal period prior to recording the approved subdivision plan, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
4. The request for a waiver of § 190-282(B)(9), which requires an existing conditions plan, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
5. The request for a waiver of § 190-282(B)(15)(25)& (39), which requires a grading plan, drainage report, and drainage calculations, **is/is not** granted, finding that the waiver **will/will not** be contrary to the spirit and intent of the regulation.
6. Prior to the Chair signing the plan, all minor drafting corrections will be made.
7. Prior to recording of the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
8. Prior to the Chair signing the plan, all comments in a letter from Pete Kohalmi, P.E., dated August 31, 2020 shall be addressed to the satisfaction of the Engineering Department.
9. Stormwater documents will be submitted to Planning staff for review and recorded with the plan at the applicant's expense.
10. Prior to the issuance of a building permit, the plan electronic file of the subdivision plan shall be submitted to the City of Nashua.
11. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.